

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THERMO FINNIGAN LLC,)
Plaintiff and)
Counterclaim Defendant,)
v.) C.A. No. 04-1505-GMS
APPLERA CORPORATION,)
Defendant and)
Counterclaim Plaintiff.)

DEFENDANT'S NOTICE OF DEPOSITION OF SCOT R. WEINBERGER

TO: Stephen M. Muller
WILMER CUTLER PICKERING HALE AND DORR LLP
60 State Street
Boston, MA 02109

Kelly E. Farnan
RICHARDS, LAYTON, & FINGER
One Rodney Square
920 N. King Street
P.O. Box 551
Wilmington, DE 19899

PLEASE TAKE NOTICE that Defendant Applera Corporation will take the deposition upon oral examination of Scot R. Weinberger at a date and time mutually agreed to by the parties, and continuing thereafter until completed, at the offices of Kenyon & Kenyon LLP, River Park Towers 333, West San Carlos Street, Suite 600, San Jose, California 95110, or such other place agreed to by the parties, before a Notary Public or other officer fully authorized to administer oaths. The examination will be recorded by videographic, audio and/or stenographic means.

You are invited to attend and cross-examine.

Dated: April 10, 2006



Josy W. Ingersoll (#1088) [jingersoll@ycst.com]
Karen L. Pascale (#2903) [kpascale@ycst.com]
Adam W. Poff (#3990) [apoff@ycst.com]
YOUNG CONAWAY STARGATT & TAYLOR, LLP
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, DE 19899-0391
(302) 571-6672

Walter E. Hanley, Jr.
James Galbraith
Huiya Wu
KENYON & KENYON LLP
One Broadway
New York, NY 10004
(212) 425-7200

William G. James
Fred T. Grasso
KENYON & KENYON LLP
1500 K Street N.W., Suite 700
Washington, D.C. 20036
(202) 220-4200

*Attorneys for Defendant and Counterclaim Plaintiff,
Applera Corporation*

CERTIFICATE OF SERVICE

I, Karen L. Pascale, Esquire, hereby certify that on April 10, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Frederick L. Cottrell, III [cottrell@rlf.com]
Kelly E. Farnan [farnan@rlf.com]
RICHARDS, LAYTON & FINGER
One Rodney Square
Wilmington, Delaware 19801

I further certify that on April 10, 2006, I caused a copy of the foregoing document to be served by hand delivery and e-mail on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

By E-Mail and FedEx

Wayne L. Stoner [wayne.stoner@wilmerhale.com]
WILMER CUTLER PICKERING HALE AND DORR LLP
60 State Street
Boston, MA 02109

YOUNG CONAWAY STARGATT & TAYLOR, LLP



Josy W. Ingersoll (No. 1088) [jingersoll@ycst.com]
Karen L. Pascale (No. 2903) [kpascale@ycst.com]
Adam W. Poff (No. 3990) [apoff@ycst.com]
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801
(302) 571-6600

*Attorneys for Defendant and Counterclaim Plaintiff,
Applera Corporation*